

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions and listings of claims in the application:

1. (Currently Amended) A bacterial or yeast transformant into which has been incorporated ~~DNA for coding~~ a lactate dehydrogenase gene, wherein the lactate dehydrogenase gene encodes a foreign protein having lactate dehydrogenase activity and pyruvic acid substrate affinity that equals or exceeds the pyruvic acid substrate affinity of the pyruvate decarboxylase inherent in the host organism,

wherein a single copy of the ~~DNA for coding the foreign protein~~ lactate dehydrogenase gene has been incorporated such that it is under the control of ~~the genome~~ a genomic pyruvate decarboxylase gene promoter of the ~~pyruvate decarboxylase gene~~ on the host chromosome, or such that it is under the control of a structural and functional homologue of the ~~genome~~ genomic pyruvate decarboxylase gene promoter of the ~~pyruvate decarboxylase gene~~, which replaces the ~~genome~~ genomic pyruvate decarboxylase gene promoter of the ~~pyruvate decarboxylase gene~~ on the host chromosome, and wherein the pyruvate decarboxylase gene on the host chromosome is replaced with the single copy of the lactate dehydrogenase gene ~~DNA for coding the foreign protein having lactate dehydrogenase activity~~.

2. (Previously Presented) The transformant according to Claim 1, wherein the foreign protein is a bovine-derived lactate dehydrogenase or its homologue.

3. (Previously Presented) The transformant according to Claim 1, wherein the foreign protein is a protein comprised of the amino acid sequence shown in SEQ ID NO:1 or its homologue.

4. (Previously Presented) The transformant according to Claim 3, wherein the foreign protein is coded by the DNA sequence shown in SEQ ID NO: 3.

5. (Previously Presented) The transformant according to Claim 4, having the DNA sequence shown in SEQ ID NO:4 as the DNA sequence for coding the foreign protein.

6. (Previously Presented) The transformant according to claim 1, wherein the host organism belongs to the Saccharomyces family.

7. (Previously Presented) The transformant according to claim 1, wherein the host organism is Saccharomyces cerevisiae.

8-15. (Cancelled).

16. (Currently Amended) A transformant of the Saccharomyces family into which a single copy of the DNA for coding a lactate dehydrogenase gene, wherein the lactate dehydrogenase gene encodes a bovine-derived lactate dehydrogenase or its homologue and has been incorporated such that the single copy of the DNA lactate

dehydrogenase gene is under the control of a ~~genome~~ genomic pyruvate decarboxylase 1 gene promoter of the ~~pyruvate decarboxylase 1~~ on the host chromosome of the *Saccharomyces* family, or such that the single copy of the ~~DNA~~ lactate dehydrogenase gene is under the control of a structural and functional homologue of the ~~genome~~ genomic pyruvate decarboxylase 1 gene promoter of the ~~pyruvate decarboxylase gene~~, which replaces the ~~genome~~ genomic pyruvate decarboxylase 1 gene promoter of the ~~pyruvate decarboxylase gene~~ on the host chromosome, and wherein the pyruvate decarboxylase 1 gene on the host chromosome has been replaced with the single copy of the ~~DNA for coding a~~ lactate dehydrogenase gene encoding the bovine-derived lactate dehydrogenase or its homologue.

17. (Previously Presented) The transformant according to Claim 16, wherein the host is *Saccharomyces cerevisiae*.

18. (Currently Amended) A lactic acid manufacturing method comprising a process for culturing the transformant described in Claim 1, and
a process for separating lactic acid from the cultured product obtained in said process for culturing the transformant ~~described in Claim 1~~.

19. (Cancelled).